SUBMITTED VIA EFS ON

NOVEMBER 29, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pastan et al.

Application No. 10/537,061

Filed: June 1, 2005 Confirmation No. 2145

RECOMBINANT IMMUNOTOXIN AND USE

IN TREATING TUMORS

Examiner: David J. Blanchard

Examiner: David J. Blanch

Art Unit: 1653

For:

Attorney Reference No. 4239-67287-05

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COMMISSIONER FOR PATENTS

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26

In accord with the Patent Office notice of January 20, 1983 (1027 TMOG 14), Applicant(s) hereby requests a refund.

The above-identified patent application was filed with the payment of a fee of \$1,700 for filing and claim fees. A copy of the National Stage Transmittal Letter dated June 1, 2005, is attached as **Exhibit A.** The filing receipt (**Exhibit B**) dated November 18, 2005, indicates receipt of the \$1,700, as well as the calculation of 24 total claims, including one independent claim. However, the fee submitted was based on the claims from the PCT application the number of claims after entry of the Preliminary Amendment. Thus only \$200 in excess claim fees were due, not \$1,100.00. Therefore, Applicants respectfully request a refund in the amount of \$900.

Please mail the refund to the undersigned agent, or credit the refund to our Deposit Account No. 02-4550

Bv

Respectfully submitted,

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cc: Docketing

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